

Federal Communications Commission

DA 01-2478

Before the
Federal Communications Commission
Washington, D.C. 20554

2001 OCT - 11 38

In the Matter of

Amendment of Section 73.622(b),
Table of Allotments,
Digital Television Broadcast Stations.
(New Orleans, Louisiana)

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MM Docket No. 01-164
RM-10135

REPORT AND ORDER
(Proceeding Terminated)

Adopted: October 26, 2001

Released: October 29, 2001

By the Chief, Video Services Division:

1. At the request of LeSEA Broadcasting Corporation ("LeSEA"), licensee of station WHNO(TV), NTSC channel 20, New Orleans, Louisiana, the Commission has before it the Notice of Proposed Rule Making, 16 FCC Rcd 14510 (2001), requesting the substitution of DTV channel 21c for station WHNO(TV)'s assigned DTV channel 14. LeSEA filed comments stating its continued interest in the channel substitution at New Orleans. No other comments were received.

2. We believe the public interest would be served by adopting LeSEA's proposal since it would permit station WHNO(TV) to implement a more cost-effective approach in eliminating the interference to the Land Mobile Radio operators licensed to adjacent channels. DTV channel 21c can be allotted to New Orleans, Louisiana, as proposed, in compliance with the principle community coverage requirements of Section 73.625(a) at coordinates (29-55-11 N. and 90-01-29 W.). In addition, we find that this channel is acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) for Station WHNO-DT with the following specifications:

| <u>State & City</u> | <u>DTV Channel</u> | <u>DTV power (kW)</u> | <u>Antenna HAAT (m)</u> | <u>DTV Service Pop (thous.)</u> |
|-------------------------|--------------------|-----------------------|-------------------------|---------------------------------|
| LA New Orleans | 21c | 300.0 | 254 | 1532 |

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective December 13, 2001, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

| <u>City</u> | <u>Channel No</u> |
|------------------------|--|
| New Orleans, Louisiana | *11, 15, 21c, 29, 30, *31, 40, 43, 50c |

4 IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, LeSEA Broadcasting Corporation shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 21c in lieu of DTV Channel 14 for station WHNO(TV).

5 IT IS FURTHER ORDERED, That this proceeding IS TERMINATED

6 For further information concerning this proceeding, contact Pam Blumenthal, Mass Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Services Division
Mass Media Bureau